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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Krieg et al.  
Serial No: 09/337,619  
Filed: June 21, 1999  
For: METHODS FOR TREATING CANCER USING  
IMMUNOSTIMULATORY OLIGONUCLEOTIDES  
Examiner: James Martinell  
Art Unit: 1633

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CERTIFICATE OF MAILING UNDER 37 C.F.R. §1.8(a)

The undersigned hereby certifies that this document is being placed in the United States mail with first-class postage attached, addressed to Box Issue Fee, Commissioner for Patents, Washington, D.C. 20231, on the 6<sup>th</sup> day of September, 2002.

Helen C. Lockhart

Box Issue Fee  
Commissioner for Patents  
Washington, D.C. 20231

**SUPPLEMENTAL STATEMENT FILED PURSUANT TO THE DUTY OF  
DISCLOSURE UNDER 37 CFR §§1.56, 1.97 AND 1.98**

Sir:

Pursuant to the duty of disclosure under 37 C.F.R. §§1.56, 1.97 and 1.98, the Applicants request consideration of this Information Disclosure Statement.

PART I: Compliance with 37 C.F.R. §1.97

This Information Disclosure Statement has been filed after the mailing date of a Notice of Allowance under 37 CFR §1.311 and is being filed on or before payment of an Issue Fee. The Applicants hereby state, as specified in 37 CFR §1.97(e), that no item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart for this application, and to the knowledge of the person signing the certification after making reasonable inquiry, was known to any individual designated in 37 CFR §1.56(c) more than three months prior to the filing of this Statement.

The IDS processing fee of \$180.00 as set forth in 37 CFR §1.17(p) is enclosed.

PART II: Information Cited

The Applicants hereby make of record in the above-identified application the information listed on the attached form PTO-1449 (modified). The order of presentation of the references should not be construed as an indication of the importance of the references.

PART III: Remarks

The following are remarks concerning the other information cited:

Documents cited anywhere in the Information Disclosure Statement are enclosed unless otherwise indicated. It is respectfully requested that:

1. The Examiner consider completely the cited information, along with any other information, in reaching a determination concerning the patentability of the present claims;
2. The enclosed form PTO-1449 be signed by the Examiner to evidence that the cited information has been fully considered by the Patent and Trademark Office during the examination of this application;
3. The citations for the information be printed on any patent which issues from this application.

By submitting this Information Disclosure Statement, the Applicants make no representation that a search has been performed, of the extent of any search performed, or that more relevant information does not exist.

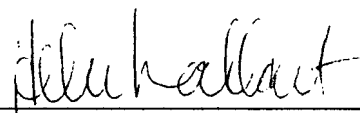
By submitting this Information Disclosure Statement, the Applicants make no representation that the information cited in the Statement is, or is considered to be, material to patentability as defined in 37 C.F.R. §1.56(b).

By submitting this Information Disclosure Statement, the Applicants make no representation that the information cited in the Statement is, or is considered to be, in fact, prior art as defined by 35 U.S.C. §102.

Notwithstanding any statements by the Applicants, the Examiner is urged to form his own conclusion regarding the relevance of the cited information.

An early and favorable action is hereby requested.

Respectfully submitted,  
*Krieg et al., Applicant*

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Date: September 6, 2002  
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**XX**